

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim 12 is currently being canceled.

Claims 6, 16 and 19 are currently being amended.

No claims are currently being added.

This amendment cancels and amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-20 are now pending in this application, whereby claims 1-5 are withdrawn from consideration.

It is respectfully requested that this 'after final' amendment and reply be considered and entered, since it is believed to place this application in consideration for allowance without materially affecting the scope of the claims.

As an initial matter, the Office Action asserts that the withdrawal of claims 1-5 was proper since "the method can be performed by an apparatus not requiring a gas window." Applicant respectfully disagrees, since claim 1 clearly recites a step of: "blowing, by way of a gas window" Thus, an apparatus that performs the method of claim 1 must use a gas window. As such, it is respectfully submitted that claims 1-6 should be examined with the other claims. In any event, the Examiner is requested to explicitly state how the method of claim 1 can be performed by an apparatus that does not have a gas window.

In the Office Action, claims 6 and 10-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Morishige (JP 10-324973-A) in view of Ninomiya et al. (JP 61-279690-A) and Yoshino (JP 63-036249-A); and claims 7-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Morishige in view of Ninomiya et al. and Yoshino and further in view of Okamoto

et al. (U.S. Patent No. 4,628,531). These rejections are traversed for at least the reasons given below.

Presently pending independent claim 6, which now includes the features of now-canceled claim 12, recites that the holder sucks the substrate in order to hold the substrate. The Office Action asserts that Figure 3 of Ninomiya et al. teaches a surface treatment device wherein a wafer 5 is held by a wafer holder 19 with surface facing downward, but there is no disclosure or suggest of the Ninomiya et al.'s wafer holder 19 using a sucking action to hold the wafer 5. Accordingly, presently pending claim 6 is believed to patentably distinguish over the combined teachings of the cited art of record.

Further, with respect to dependent claim 11, that claim recites that a main component of the purge and carrier gases is helium gas. Applicant's representative was not able to find such a disclosure in any of the cited art of record, and it is respectfully requested that the Examiner explain where this feature is found in the cited art of record, or otherwise withdraw the rejection of claim 11. For example, Morishige merely discloses the use of Cr(CO)₆ material gas.

Furthermore, with respect to dependent claim 16, the Office Action asserts (on page 4) that "the claimed gas window is an obvious modification of the gas window of Fig. 1 of Morishige." Applicant strongly disagrees with this assertion, and submits that there are many substantive differences between the invention as recited in claim 16 and the gas window structure disclosed by Morishige. For example, the claimed second opening is provided on one side of the laser irradiating hole, so that material gas can be provided directly into the laser irradiating hole. See, for example, Figure 2 of the drawings, whereby a material gas supply nozzle 22 connects directly with one end of the round groove 23 (see right side of that figure). In Morishige, on the other hand, a material gas inlet 2 is provided away from a laser irradiating hole. Also, as recited in claim 16, a third opening is provided against one end of the round groove, whereby the third opening sucks purge gas out of the gas window by way of a sucking force applied to the round groove. See, for example, Figure 2

of the drawings, whereby a suction pipe 24 is provided against one end (the bottom right end) of the round groove 23. In Morishige, on the other hand, a denial gas inlet 1 is not provided against any end of a round groove (there does not even appear to be a round groove in the gas window of Morishige).

Thus, as is clear from the discussion above, the structure recited in claim 16 is much different from the structure disclosed by Morishige. Accordingly, the invention as recited in claim 16 is not an obvious modification of the structure disclosed by Morishige.

Also, with respect to dependent claim 17, which depends from claim 16, the first and second openings are provided on opposite sides of the gas window. See Figure 2 of the drawings, for example. In Morishige, on the other hand, the openings of material gas entrance 2 and denial gas inlet 1 are provided on a same side (the left side) of Morishige's gas window.

Therefore, claim 17 is patentable over the cited art of record.

Furthermore, the features recited in dependent claims 18 and 19 are not disclosed or suggested by Morishige, whereby those features are not directed to a gas window, but rather are directed to a sucking unit for sucking a substrate in place. Thus, the disclosure of Morishige is not at all pertinent to these claims.

Accordingly, since there are no other objection or rejections raised in the Office Action, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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Phillip J. Articola
Phillip J. Articola
Registration No. 38,819

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5300
Facsimile: (202) 672-5399